

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

JOSEPH THOMPSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:09cv210-TMH
	)	
LEROY UPSHAW, et al.,	)	
	)	
Defendants.	)	

**ORDER AND OPINION**

On April 2, 2009, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 4). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that:

1. The claims presented by Thompson with respect to actions taken against him during his confinement in the Barbour County Jail are DISMISSED as moot.
2. The claims presented on behalf of other inmates confined in the Barbour County Jail are DISMISSED with prejudice under 28 U.S.C. § 1915(e)(2)(B)(I) as the plaintiff lacks standing to assert these claims.
3. This case is DISMISSED prior to service of process in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(I) and (ii).

Done this the 24<sup>th</sup> day of April, 2009.

/s/ Truman M. Hobbs

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SENIOR UNITED STATES DISTRICT JUDGE